

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 GUOJIA MAI, *et al.*,

11 Plaintiffs,

12 v.

13 U.S. HOME CORPORATION, *et al.*,

14 Defendants.

Case No. 2:12-cv-00165-LDG (RJJ)

15
16 **ORDER**

17 Defendant Homeward Residential, Inc. moves to dismiss (#12) the plaintiffs'
18 amended complaint (#8). The Court notified the plaintiffs, who are proceeding *pro se*,
19 regarding the requirements to oppose a motion to dismiss (#13). The plaintiffs have not
20 filed any opposition, which failure constitutes a consent to the granting of the motion to
21 dismiss. See LR 7-2(d). Accordingly, the Court will dismiss this action as against
defendant Homeward Residential, Inc.

22 In addition, the Court previously notified the plaintiffs that the official record in this
23 action reflected that the plaintiffs had not served the amended complaint on either of the
24 remaining defendants: U.S. Home Corporation and MERSCORP Inc. The Court further
25 notified the plaintiffs that this action would be dismissed as against these defendants
26 without prejudice if plaintiffs failed to file proof of service not later than October 6, 2012.

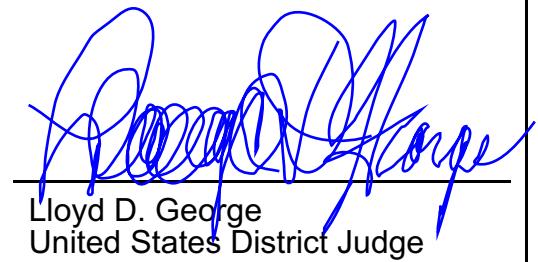
1 The plaintiffs have not filed the requisite proof of service. Accordingly, the Court will
2 dismiss this action without prejudice as against defendants U.S. Home Corporation and
3 MERSCORP Inc.

4 Therefore for good cause shown,

5 **THE COURT ORDERS** that Defendant Homeward Residential, Inc.'s Motion to
6 Dismiss (#12) is GRANTED; Defendant Homeward Residential, Inc. is DISMISSED with
7 prejudice.

8 **THE COURT FURTHER ORDERS** that Defendants U.S. Home Corporation and
9 MERSCORP Inc. are DISMISSED without prejudice for plaintiffs' failure to timely serve
10 these defendants with the amended complaint.

11
12 DATED this 28 day of November, 2012.



13
14
15
16
17
18
19
20
21
22
23
24
25
26

Lloyd D. George
United States District Judge